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PATENT

Customer No. 22,852

Attorney Docket No. 05725.0996-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Véronique FERRARI et al.)
Application No.: 09/987,427) Group Art Unit: Unassigned
Filed: November 14, 2001) Examiner: Unassigned
For: COSMETIC COMPOSITION)
COMPRISING A POLYMER)
PARTICLE DISPERSION AND A)
PIGMENT DISPERSION (AS)
AMENDED))

9

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Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

REQUEST FOR CORRECTED PATENT APPLICATION PUBLICATION
UNDER 37 C.F.R. § 1.221(b)

On November 7, 2002, the U.S. Patent and Trademark Office published the above-identified Application No. 09/987,427, as Publication No. US-2002-0164297-A1. The published application contains mistakes that are the fault of the Office and are, in Applicants' view, material. The mistakes appear to have arisen because the Office mistakenly published the translated provisional application rather than the non-provisional application.

Attached hereto is a copy of each relevant page of the originally filed application and a marked-up copy of the corresponding page of the published application containing the mistake.

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A mistake is material when it affects the public's ability to appreciate the technical disclosure of the patent application publication or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent. See 37 C.F.R. ~~§ 1.221(b)~~. The mistakes listed below affect the public's ability to appreciate the technical disclosure of the patent application publication or to determine the scope of provisional rights.

The mistakes, which are indicated in red ink on the relevant pages of the marked-up copy of the published application attached hereto, are identified below with the correction:

1. After paragraph [0121], the published application is missing two entire paragraphs present in the original application. See page 38, lines 6-22, of the originally filed application. The following text should be added:

Preferably, the fillers and nacreous or non-nacreous pigments are non-polymeric.

According to the invention, the colloidal dispersion of solid particles is prepared beforehand by mixing together the solid particles, the dispersant and the continuous medium of the dispersion, in order to obtain an adsorption of the stabilizer onto the solid particles. This dispersion is then mixed with the other constituents of the composition. This step of prior preparation of the dispersion of solid particles is necessary in order to solve the stability problem of the composition. The simple addition of a dispersant to the composition, without its prior adsorption onto the solid particles and in particular onto the pigments, does not solve the problem of destabilization of a composition containing a dispersion of surface-stabilized polymer particles.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

2. After paragraph [0140], the published application is missing the entire text of page 45, lines 3-5 of the original application. The missing text reads:

This dispersion is prepared beforehand, prior to mixing it with the other constituents of the composition according to the invention.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

3. After paragraph [0141], the published application is missing the entire text of page 45, lines 20-22 of the original application. The missing text reads:

This dispersion is prepared beforehand, prior to mixing it with the other constituents of the composition according to the invention.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

4. In paragraph [0142] after the term "...in suitable lipstick moulds." the published application is missing the entire text of page 46, lines 17-19. The text should replace "a stick is obtained" and read as follows:

The moulds are then placed in a freezer at -18°C for 30 minutes. A stick of lipstick is obtained.

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The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

5. In paragraph [0144], after the term "counterexample mixture," the published application is missing the entire text of page 47, lines 21-24. The missing text reads:

The mixture is stirred for one hour and then cast in suitable lipstick moulds. The moulds are then placed in a freezer at -18°C for 30 minutes.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

6. In paragraph [0144], after the term "stick" and before the term "obtained shows" the published application is missing the term "of lipstick." See original application at page 47, line 24.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

7. In paragraph [0144], after the term "It gives a" and before the term "deposit with good staying power," the published application is missing the term "colored." See original application at page 47, line 25.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

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8. In paragraph [0144], after the term "feels comfortable," the published application does not contain the entire text at page 47, line 27 to page 48, line 4. The missing text reads:

and is uniform. This difference in appearance is due to the prior absorption of the dispersant on the pigments before introducing it into the molten mixture of the other ingredients of the composition.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

9. The published application omits original claims 19, 26, 33, and 35 as provided in the as-filed non-provisional application. See original application at pages 54-58. The enclosed marked-up copy of the relevant pages of the original application and the published application identifies the missing claims and their location in the text.

The mistake is material as it may create an ambiguity and affect the public's ability to appreciate the technical disclosure of the publication.

For at least the foregoing reasons, Applicants request that the Office correct the above-identified mistakes in the published application, which were the fault of the Office. Further, Applicants request that the Office forward to Applicants a copy of the corrected published application, or at least a notification of the occurrence or predicted occurrence of the corrected publication once it has been corrected.

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Application No.: 09/987,427
Attorney Docket No. 05725.0996-00

The Office is respectfully invited to contact Applicants' undersigned counsel at (202)408-4374 if it is believed that a telephone conference could be useful in resolving this matter.

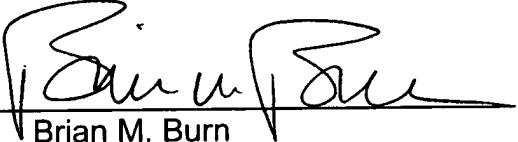
Applicants believe that no Petition or fee is due in connection with this Request; however, if any Petition or fee is due, please grant the Petition and charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 6, 2003

By: _____



Brian M. Burn
Reg. No. 44,455

Enclosures:

- Marked-up copy of pages 8-11 of the published application; and
- Copy of pages 38 45-48 and 54-58 of the originally filed application.

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[0117] Advantageously, the "particulate paste" or colloidal dispersion is a "pigmentary paste" containing a colloidal dispersion of coated or uncoated coloured particles. These coloured particles are pigments, nacres or a mixture of pigments and/or nacres.

[0118] Advantageously, the colloidal dispersion represents from 0.5% to 60% by weight of the composition and better still from 2% to 40% and even better still from 2% to 30%.

[0119] The pigments may be white or coloured, mineral and/or organic, and interferential or non-interferential. Among the mineral pigments that may be mentioned are titanium dioxide, optionally surface-treated, zirconium oxide or cerium oxide, and also zinc oxide, iron oxide (black, yellow or red) or chromium oxide, manganese violet, ultramarine blue, chromium hydrate and ferric blue. Among the organic pigments that may be mentioned are carbon black, pigments of barium, strontium, calcium or aluminium organic lake type, including those submitted for certification by the Food and Drug Administration (FDA) (example: D&C or FD&C) and those that are exempt from FDA certification, for instance lakes based on cochineal carmine. The pigments may represent from 0.1% to 50% as active material and especially from 0.5% to 35% and better still from 2% to 25% of the total weight of the composition.

[0120] The nacreous pigments can be chosen from white nacreous pigments such as mica coated with titanium or with bismuth oxychloride, coloured nacreous pigments such as titanium mica with iron oxides, titanium mica with, in particular, ferric blue or chromium oxide, titanium mica with an organic pigment of the abovementioned type, as well as nacreous pigments based on bismuth oxychloride. They may represent from 0% to 25% (as active material) of the total weight of the composition and better still from 0.1% to 15% (if present). Pigments with goniochromatic properties may thus be used.

[0121] The fillers may be mineral or organic, and lamellar or spherical. Mention may be made of talc, mica, silica, kaolin, Nylon® powder (Orgasol® from Atochem), poly-β-alanine powder and polyethylene powder, lauroyllysine, starch, boron nitride, tetrafluoroethylene polymer powders (Teflon), hollow microspheres such as Expance® (Nobel Industrie), Polytrap® (Dow Corning) and silicone resin microbeads (Tospearls® from Toshiba, for example), precipitated calcium carbonate, magnesium carbonate and hydrocarbonate, hydroxyapatite, hollow silica microspheres (Silica Beads® from Maprecos), glass or ceramic microcapsules, metal soaps derived from organic carboxylic acids containing from 8 to 22 carbon atoms, preferably from 12 to 18 carbon atoms, for example zinc, magnesium or lithium stearate, zinc laurate or magnesium myristate.

[0122] The composition of the invention may also contain dyes that are soluble in the physiological medium, and in particular liposoluble or water-soluble dyes.

[0123] The liposoluble dyes are, for example, Sudan red, D&C Red No. 17, D&C Green No. 6, β-carotene, soybean oil, Sudan brown, D&C Yellow No. 11, D&C Violet No. 2, D&C Orange No. 5, quinoline yellow and bromo acids. They may represent from 0% to 20% and especially 0.01% to 20% of the weight of the composition and better still from 0.1% to 6% (if present). The water-soluble dyes are, for example, beetroot juice and methylene blue, and may represent up to 6% of the total weight of the composition.

[0124] The composition of the invention may also contain one or more cosmetic or dermatological active agents such as those conventionally used.

[0125] As cosmetic, dermatological, hygiene or pharmaceutical active agents that may be used in the composition of the invention, mention may be made of moisturizers, vitamins, essential fatty acids, sphingolipids and sunscreens. These active agents are used in the usual amount for those skilled in the art, and especially at concentrations of from 0% to 20% and especially from 0.001% to 15% of the total weight of the composition.

[0126] The polymer in the composition of the invention allows the formation of a film on the skin, the lips and/or integuments, forming a network that traps the dyestuffs (including the fillers) and/or the active agents. Depending on the relative amount of dyestuffs used relative to the amount of stabilized polymer used, it is possible to obtain a more or less glossy film that has good staying power, is water-resistant and has a uniform colour.

[0127] Depending on the type of use envisaged, the composition according to the invention may also comprise the constituents conventionally used in the fields considered, which are present in an amount that is suitable for the intended presentation form.

[0128] In particular, it can comprise, besides the liquid fatty phase in which the polymer particles are stabilized, additional fatty phases that may be chosen from waxes, oils, gums and/or pasty fatty substances, that are hydrocarbon-based, silicone-based and/or fluorinated, of plant, animal, mineral or synthetic origin, and mixtures thereof.

[0129] Among the waxes which are solid at ambient temperature, which can be present in the composition according to the invention, mention may be made of hydrocarbon-based waxes such as beeswax, carnauba wax, candelilla wax, ouricury wax, Japan wax, cork fibre wax or sugar cane wax, paraffin wax, lignite wax, microcrystalline waxes, lanolin wax, montan wax, ozokerites, polyethylene waxes, the waxes obtained by Fischer-Tropsch synthesis, hydrogenated oils, fatty esters and glycerides which are solid at 25° C. Silicone waxes can also be used, among which mention may be made of alkyl, alkoxy and/or esters of polymethylsiloxane. The waxes can be in the form of stable dispersions of colloidal wax particles, as can be prepared according to known methods, such as those in "Microemulsions Theory and Practice", L. M. Prince Ed, Academic Press (1977), pages 21-32. Preferably, the waxes used have a melting point at least equal to 45° C.

[0130] The waxes may be present in a proportion of 0-50% by weight in the composition and better still from 5% to 25%, so as not to excessively reduce the gloss of the composition or of the film deposited on the lips and/or the skin.

[0131] The composition may also comprise any additive usually used in such compositions, such as water, thickeners for an oil phase or for an aqueous phase, antioxidants, fragrances, preserving agents, surfactants, essential oils and liposoluble polymers (polyvinylpyrrolidone/eicosine copolymer).

[0132] In one specific embodiment of the invention, the compositions according to the invention can be prepared in

(A)
add
MP
(attached)

ceramic microcapsules, metal soaps derived from organic carboxylic acids containing from 8 to 22 carbon atoms, preferably from 12 to 18 carbon atoms, for example zinc, magnesium or lithium stearate, zinc laurate or 5 magnesium myristate.

Preferably, the fillers and nacreous or non-nacreous pigments are non-polymeric.

According to the invention, the colloidal dispersion of solid particles is prepared beforehand by 10 mixing together the solid particles, the dispersant and the continuous medium of the dispersion, in order to obtain an adsorption of the stabilizer onto the solid particles. This dispersion is then mixed with the other constituents of the composition. This step of prior 15 preparation of the dispersion of solid particles is necessary in order to solve the stability problem of the composition. The simple addition of a dispersant to the composition, without its prior adsorption onto the solid particles and in particular onto the pigments, 20 does not solve the problem of destabilization of a composition containing a dispersion of surface-stabilized polymer particles.

The composition of the invention may also contain dyes that are soluble in the physiological 25 medium, and in particular liposoluble or water-soluble dyes.

the usual manner by a person skilled in the art. They can be in the form of a cast product and, for example, in the form of a stick or tube, or in the form of a dish which can be used by direct contact or with a sponge. In particular, they find an application as a cast foundation, a cast face powder or eye shadow, a lipstick, a lipcare balm or base or a concealer product. They can also be in the form of a supple paste or alternatively in the form of a gel or a more or less fluid cream. In this case, they can constitute foundations or lipsticks, antisun products or skin-colouring products.

[0133] The compositions of the invention are advantageously anhydrous and can contain less than 5% water relative to the total weight of the composition. In this case, they can in particular be in the form of an oily gel, an oily liquid, an oil, a paste or a stick, or alternatively in the form of a vesicular dispersion containing ionic and/or nonionic lipids. They may also be in the form of a simple or multiple emulsion containing an oily or aqueous continuous phase, or in the form of an oily dispersion in an aqueous phase by means of vesicles containing ionic and/or nonionic lipids. These presentation forms are prepared according to the usual methods of the fields considered.

[0134] These compositions for topical application can in particular constitute a cosmetic, dermatological, hygiene or pharmaceutical composition for protecting, treating or caring for the face, for the neck, for the hands or for the body (for example, a care cream, an antisun oil or a body gel), a make-up composition (for example, a make-up gel, a cream or a stick) or an artificial-tanning composition or protective composition for the skin.

[0135] The composition according to the invention may be in the form of a dermatological or care composition for the skin and/or integuments or in the form of an antisun composition or a body hygiene composition, especially in the form of a deodorant. In this case, it may especially be in uncoloured form. It may then be used as a care base for the skin, integuments or the lips (lip balms, for protecting the lips against the cold and/or sun and/or the wind, or a care cream for the skin, the nails or the hair).

[0136] The composition of the invention may also be in the form of a coloured product, in particular a make-up product for the skin, optionally having care or treating properties, and in particular a foundation, a blusher, a face powder, an eyeshadow, a concealer product, an eyeliner or a body make-up product; a make-up product for the lips, for instance a lipstick, a lip gloss or a lip pencil optionally having care or treating properties; a make-up product for integuments, for instance the nails, or the eyelashes in the form of a mascara, or the eyebrows and the hair.

[0137] Needless to say, the composition of the invention should be cosmetically or dermatologically acceptable, that is to say that it should contain a physiologically acceptable, non-toxic medium which may be applied to the human skin, integuments or lips of the face. For the purposes of the invention, the expression "cosmetically acceptable" means a composition of pleasant appearance, odour and feel.

[0138] Needless to say, a person skilled in the art will take care to select this or these possible additional compound(s), and/or the amount thereof, such that the advantageous properties of the composition according to the invention are not, or are not substantially, adversely affected by the addition envisaged.

[0139] The invention is illustrated in greater detail in the examples which follow. The percentages are percentages by weight.

EXAMPLE 1 OF A POLYMER DISPERSION

[0140] A dispersion of polymethyl methacrylate crosslinked with ethylene glycol dimethacrylate, in hydrogenated polyisobutene (containing 6-8 mol of isobutylene), sold under the name Parleam by the company Nippon Oil Fat, is prepared according to the method of Example 2 of document EP-A-749 746, replacing the Isopar L with Parleam. A dispersion of polymethyl methacrylate particles that are surface-stabilized in the Parleam with a polystyrene/copoly(ethylene-propylene) diblock copolymer, sold under the name Kraton G1701 (Shell), having a solids content of 22-25% by weight and a Tg of 100° C., is thus obtained. This copolymer is not film-forming at ambient temperature.

EXAMPLE 2 OF A POLYMER DISPERSION

[0141] A dispersion of a non-crosslinked copolymer of methyl acrylate and of acrylic acid in an 85/15 ratio, in Parleam, is prepared according to the method of Example 1 of document EP-A-749 746, replacing the heptane with Parleam. A dispersion of poly(methyl acrylate/acrylic acid) surface-stabilized particles in Parleam with a polystyrene/copoly(ethylene-propylene) diblock copolymer sold under the name Kraton G1701 (Shell), which has a solids content of 22-25% by weight and a mean particle size of 165 nm (polydispersity: 0.05) and a Tg of 13° C., is thus obtained. This copolymer can form a film.

COUNTEREXAMPLE 1

lipstick	
<u>Phase A</u>	
Polyethylene wax	13%
Carnauba wax	2%
Diisostearyl malate	6%
Dispersion of Example 2	50%
Parleam	3%
<u>Phase B</u>	
Lanolin	6%
Pigments	8.66%
Dispersant	2%
Parleam	9.34%

[0142] All the components of phase A are introduced into a heating vessel and are heated to 100° C. with magnetic stirring so as to obtain a homogeneous mixture. Phase B is then ground in a three-roll mill. This ground material is then added to phase A. The mixture is stirred for 1 hour and then cast in suitable lipstick moulds. A stick is obtained.

[0143] When phase B is introduced (grinding of pigment in the three-roll mill), a colour change when hot is noted. Once shaped in the moulds, this formulation has the appearance of a stick that is non-uniform at the surface: presence of marbling on the stick.

(B)
insert text
(attached)

The moulds
are then
placed in a
freezer at
-18°C for
30 minutes

by weight and a Tg of 100°C, is thus obtained. This copolymer is not film-forming at ambient temperature.

This dispersion is prepared beforehand, prior to mixing it with the other constituents of the composition according to the invention.

Example 2 of a polymer dispersion

A dispersion of a non-crosslinked copolymer of methyl acrylate and of acrylic acid in an 85/15 ratio, in Parleam, is prepared according to the method of Example 1 of document EP-A-749 746, replacing the heptane with Parleam. A dispersion of poly(methyl acrylate/acrylic acid) surface-stabilized particles in Parleam with a polystyrene/copoly(ethylene-propylene) diblock copolymer sold under the name Kraton G1701 (Shell), which has a solids content of 22-25% by weight and a mean particle size of 165 nm (polydispersity: 0.05) and a Tg of 13°C, is thus obtained. This copolymer can form a film.

This dispersion is prepared beforehand, prior to mixing it with the other constituents of the composition according to the invention.

Counterexample 1: lipstick

25 Phase A

Polyethylene wax	13	%
Carnauba wax	2	%

Diisostearyl malate	6	%
Dispersion of Example 2	50	%
Parleam	3	%
<u>Phase B</u>		
5 Lanolin	6	%
Pigments	8.66	%
Dispersant	2	%
Parleam	9.34	%

10 All the components of phase A are introduced into a heating vessel and are heated to 100°C with magnetic stirring so as to obtain a homogeneous mixture. Phase B is then ground in a three-roll mill. This ground material is then added to phase A. The 15 mixture is stirred for 1 hour and then cast in suitable lipstick moulds. The mixture is stirred for one hour and then cast in suitable lipstick moulds. The moulds are then placed in a freezer at -18°C for 30 minutes. A stick of lipstick is obtained.

20 When phase B is introduced (grinding of pigment in the three-roll mill), a colour change when hot is noted. Once shaped in the moulds, this formulation has the appearance of a stick that is non-uniform at the surface: presence of marbling on the 25 stick.

EXAMPLE 3

lipstick	
<u>Phase A</u>	
Polyethylene wax	13%
Carnauba wax	2%
Diisostearyl malate	6%
Dispersion of Example 2	50%
Parleam	5.28%
<u>Phase B</u>	
Lanolin	6%
Pigmentary paste	17.72%

(C) text missing

[0144] All the components of phase A are introduced into a heating vessel and are heated to 100° C. with magnetic stirring to obtain a homogeneous mixture. Phase B corresponding to the pigmentary paste mixed with lanolin is then added. The pigmentary paste contains 8.66% pigments, 0.58% poly(12-hydroxystearic acid) stearate and 8.48% Parleam. When the pigmentary paste is introduced into phase A, it is noted that the colour change is less pronounced than in the counterexample mixture. The stick obtained shows no marbling and is uniformly coloured. It gives a deposit with good staying power on the lips, which does not migrate and feels comfortable.

COUNTEREXAMPLE 2

lipstick	
<u>Phase A</u>	
Polyethylene wax	13%
Carnauba wax	2%
Diisostearyl malate	6%
Dispersion of Example 2	50%
Parleam	9%
<u>Phase B</u>	
Pigments	8.66%
Dispersant	2%
Parleam	9.34%

[0145] The procedure and the appearance of the lipstick are identical to those of the lipstick of counterexample 1.

EXAMPLE 4

lipstick	
<u>Phase A</u>	
Polyethylene wax	13%
Carnauba wax	2%
Diisostearyl malate	6%
Dispersion of Example 2	50%
<u>Phase B</u>	
Parleam	11.3%
Pigmentary paste	17.7%

[0146] All the components of phase A are introduced into a heating vessel and are heated to 100° C. with magnetic stirring so as to obtain a homogeneous mixture. Phase B corresponding to the pigmentary paste mixed with Parleam is then added. The pigmentary paste contains 8.66% pig-

ments, 0.58% poly(12-hydroxystearic acid) stearate and 8.48% Parleam. The stick obtained shows no marbling and is uniform in colour. It is easy to apply: the deposit obtained is comfortable, uniform and glossy, does not migrate and shows good staying power, especially of the colour.

1. Composition for application to keratin materials, comprising a physiologically acceptable medium containing at least one liquid fatty phase, a colloidal dispersion of particles that are solid at ambient temperature and a dispersion of polymer particles that are surface-stabilized in the said liquid fatty phase with a stabilizer.

2. Composition according to claim 1 characterized in that the particles of the colloidal dispersion are particles chosen from pigments, nacres and fillers, and mixtures thereof.

3. Composition according to claim 1 or 2, characterized in that the particles of the colloidal dispersion contain coloured particles.

4. Composition according to one of the preceding claims, characterized in that the colloidal dispersion represents from 0.5% to 60% by weight of the composition and better still from 2% to 40% and even better still from 2% to 50%.

5. Composition according to one of the preceding claims, characterized in that the colloidal dispersion comprises a dispersant for the particles.

6. Composition according to claim 5 characterized in that the dispersant represents from 0.3 to 5 mg/m² and preferably from 0.5 to 4 mg/m² of surface area of particles.

7. Composition according to claim 5 or 6, characterized in that the dispersant is chosen from poly(12-hydroxystearic acid) stearate, poly(12-hydroxystearic acid) and diglyceryl 2-dipolyhydroxystearate, and mixtures thereof.

8. Composition according to one of the preceding claims, characterized in that the colloidal dispersion contains a fatty substance that is liquid at ambient temperature, forming part of the liquid fatty phase.

9. Composition according to one of the preceding claims, characterized in that the polymer in dispersion can form a film.

10. Composition according to one of the preceding claims, in which at least one ingredient chosen from cosmetic and dermatological active agents, and mixtures thereof, is provided.

11. Composition according to one of the preceding claims, in which the polymer in dispersion is chosen from free-radical polymers, polycondensates and polymers of natural origin, and mixtures thereof.

12. Composition according to one of the preceding claims, in which the polymer in dispersion is chosen from polyurethanes, polyurethane-acrylics, polyureas, polyurea/polyurethanes, polyester-polyurethanes, polyether-polyurethanes, polyesters, polyesteramides, fatty-chain polyesters, alkyds; acrylic and/or vinyl polymers or copolymers; acrylic-silicone copolymers; polyacrylamides; silicone polymers, fluoro polymers, and mixtures thereof.

13. Composition according to one of the preceding claims, in which the liquid fatty phase consists of oils of mineral, animal, plant or synthetic origin, carbon-based, hydrocarbon-based, fluoro and/or silicone oils, alone or as a mixture.

14. Composition according to one of the preceding claims, in which the liquid fatty phase is chosen from liquid paraffin, liquid petroleum jelly, volatile or non-volatile iso-paraffins, mink oil, turtle oil, soybean oil, perhydro-squalene, sweet almond oil, beauty-leaf oil, palm oil, Parleam oil,

Parleam

Example 3: lipstick**Phase A**

Polyethylene wax	13	%
Carnauba wax	2	%
5 Diisostearyl malate	6	%
Dispersion of Example 2	50	%
Parleam	5.28	%

Phase B

Lanolin	6	%
10 Pigmentary paste	17.72	%

All the components of phase A are introduced into a heating vessel and are heated to 100°C with magnetic stirring to obtain a homogeneous mixture.

15 Phase B corresponding to the pigmentary paste mixed with lanolin is then added. The pigmentary paste contains 8.66% pigments, 0.58% poly(12-hydroxystearic acid) stearate and 8.48% Parleam. When the pigmentary paste is introduced into phase A, it is noted that the 20 colour change is less pronounced than in the counterexample mixture. The mixture is stirred for one hour and then cast in suitable lipstick moulds. The moulds are then placed in a freezer at -18°C for 30 minutes. The stick of lipstick obtained shows no 25 marbling and is uniformly coloured. It gives a coloured deposit with good staying power on the lips, which does not migrate, feels comfortable and is uniform. This

difference in appearance is due to the prior adsorption of the dispersant on the pigments before introducing it into the molten mixture of the other ingredients of the composition.

5

Counterexample 2: lipstick

Phase A

	Polyethylene wax	13	%
	Carnauba wax	2	%
10	Diisostearyl malate	6	%
	Dispersion of Example 2	50	%
	Parleam	9	%

Phase B

	Pigments	8.66	%
15	Dispersant	2	%
	Parleam	9.34	%

The procedure and the appearance of the lipstick are identical to those of the lipstick of counterexample 1.

Example 4: lipstick

Phase A

	Polyethylene wax	13	%
25	Carnauba wax	2	%
	Diisostearyl malate	6	%
	Dispersion of Example 2	50	%

grapeseed oil, sesame oil, rapeseed oil, sunflower oil, cottonseed oil, apricot oil, castor oil, avocado oil, jojoba oil, olive oil or cereal germ oil; esters of lanolic acid, of oleic acid, of lauric acid or of stearic acid; isopropyl myristate, isopropyl palmitate, butyl stearate, hexyl laurate, diisopropyl adipate, isononyl isononate, 2-ethylhexyl palmitate, 2-hexyldecyl laurate, 2-octyldecyl palmitate, 2-octyldecyl myristate or lactate, 2-diethylhexyl succinate, diisostearyl malate, glyceryl triisostearate or diglyceryl triisostearate; myristic acid, palmitic acid, stearic acid, behenic acid, oleic acid, linoleic acid, linolenic acid or isostearic acid; stearyl alcohol, oleyl alcohol, linoleyl alcohol, linolenyl alcohol, isostearyl alcohol or octyldecanol; volatile or non-volatile silicone oils of PDMS type that are optionally phenylated or optionally substituted with aliphatic and/or aromatic groups, or with functional groups; polysiloxanes modified with fatty acids, fatty alcohols or polyoxyalkylenes; fluorosilicones and perfluoro oils and mixtures thereof.

15. Composition according to one of the preceding claims, characterized in that the fatty phase contains at least one oil that is not volatile at ambient temperature and atmospheric pressure.

16. Composition according to one of the preceding claims, in which the stabilizer is chosen from block polymers, grafted polymers and random polymers, and mixtures thereof.

17. Composition according to one of the preceding claims, in which the stabilizer is chosen from silicone polymers grafted with a hydrocarbon-based chain; hydrocarbon-based polymers grafted with a silicone chain; grafted copolymers having an insoluble skeleton of polyacrylic type with soluble grafts of poly(12-hydroxystearic acid) type; grafted-block or block copolymers comprising at least one block of polyorganosiloxane type and at least one block of a free-radical polymer; grafted-block or block copolymers comprising at least one block of polyorganosiloxane type and at least [lacuna] of a polyether; copolymers of acrylates or methacrylates of a C₁-C₄ alkyl, or of acrylates or methacrylates of a C₈-C₃₀ alkyl; grafted-block or block copolymers comprising at least one block resulting from the polymerization of ethylenic monomers optionally comprising conjugated bonds and at least one block of a vinyl polymer; grafted-block or block copolymers comprising at least one block resulting from the polymerization of ethylenic monomers optionally comprising conjugated bonds and at least one block of an acrylic polymer; grafted-block or block copolymers comprising at least one block resulting from the polymerization of diene and at least one block of a polyether, and mixtures thereof.

18. Composition according to one of the preceding claims, characterized in that the stabilizer is a grafted-block or block polymer, comprising at least one block resulting from the polymerization of diene and at least one block of a vinyl polymer.

19. Composition according to one of the preceding claims, also comprising at least one additional fatty phase chosen from waxes, gums and/or pasty fatty substances, that are hydrocarbon-based, silicon-based and/or fluorinated, of plant, animal, mineral or synthetic origin, and mixtures thereof.

20. Composition according to one of the preceding claims, characterized in that the polymer in dispersion represents (as solids) up to 60% of the total weight of the composition.

21. Composition according to one of the preceding claims, characterized in that the polymer in dispersion

represents (as solids) from 2% to 60% of the total weight of the composition, and preferably from 4 to 2.5.

22. Composition according to one of the preceding claims, which is in the form of a stick or tube, in the form of a soft paste, in the form of a dish, an oily gel, an oily liquid, a vesicular dispersion containing ionic and/or non-ionic lipids, or a water-in-oil, oil-in-water or multiple emulsion.

23. Composition according to one of the preceding claims, which is in anhydrous form.

24. Composition according to one of the preceding claims, which is in the form of a care and/or make-up product for the skin and/or for the lips.

25. Composition according to one of the preceding claims, which is in the form of a foundation, a face powder, an eyeshadow, a lipstick, a lipcare balm or base, a concealer product, an eyeliner or a mascara.

26. Cosmetic care process or make-up process for the lips or the skin, which consists in applying a cosmetic composition as defined in the preceding claims to the lips or the skin, respectively.

27. Process for limiting the migration of a make-up composition or care composition for the skin or the lips and/or to increase the staying power over time of this composition and/or its stability, containing a liquid fatty phase and at least one ingredient chosen from dyestuffs in the form of coloured particles that are solid at ambient temperature, which consists in introducing into the liquid fatty phase polymer particles that are dispersible in the liquid fatty phase and surface-stabilized with a stabilizer, and in introducing into the said liquid fatty phase the said coloured particles in the form of a colloidal dispersion.

28. Use in a composition for application to the skin, the lips and integuments, of particles of at least one polymer that are dispersed in a liquid fatty phase and surface-stabilized with a stabilizer, and of a colloidal dispersion of particles that are solid at ambient temperature, and especially coloured, to limit the migration of the composition and/or to increase its staying power over time and/or to obtain a uniform make-up effect.

29. Use in a composition for application to the skin, the lips and integuments, of particles of at least one polymer that are dispersed in a liquid fatty phase and surface-stabilized with a stabilizer, and of a colloidal dispersion of particles that are solid at ambient temperature, and especially coloured, to conserve the gloss of the said composition.

30. Process for manufacturing a stable composition for application to keratin materials, which consists in introducing into a physiologically acceptable liquid medium a) a dispersion of polymer particles that are surface-stabilized in a liquid fatty phase with a stabilizer, b) a colloidal dispersion of particles that are solid at ambient temperature, chosen from pigments, nacres and fillers and mixtures thereof, and in mixing the said medium to which is added the said dispersions a) and b).

31. Use of a colloidal dispersion of particles that are solid at ambient temperature, chosen from pigments, nacres and fillers, and mixtures thereof, in a composition for application to keratin materials, containing a dispersion of polymer particles that are surface-stabilized in a liquid fatty phase with a stabilizer, to stabilize the said composition and/or to give it a uniform appearance.

Claim 19

Claim 26?

Claim 33?

Claim 35

Note: Application provided to
proofreaders contained 35 claims.

type and at least [lacuna] of a polyether; copolymers of acrylates or methacrylates of a C₁-C₄ alkyl, or of acrylates or methacrylates of a C₈-C₃₀ alkyl; grafted-block or block copolymers comprising at least one block 5 resulting from the polymerization of ethylenic monomers optionally comprising conjugated bonds and at least one block of a vinyl polymer; grafted-block or block copolymers comprising at least one block resulting from the polymerization of ethylenic monomers optionally 10 comprising conjugated bonds and at least one block of an acrylic polymer; grafted-block or block copolymers comprising at least one block resulting from the polymerization of diene and at least one block of a polyether, and mixtures thereof.

15 18. Composition according to one of the preceding claims, characterized in that the stabilizer is a grafted-block or block polymer, comprising at least one block resulting from the polymerization of diene and at least one block of a vinyl polymer.

20 19. Composition according to one of the preceding claims, in which the stabilizer is a diblock polymer.

25 20. Composition according to one of the preceding claims, also comprising at least one additional fatty phase chosen from waxes, gums and/or pasty fatty substances, that are hydrocarbon-based,

silicone-based and/or fluorinated, of plant, animal, mineral or synthetic origin, and mixtures thereof.

21. Composition according to one of the preceding claims, characterized in that the polymer in 5 dispersion represents (as solids) up to 60% of the total weight of the composition.

22. Composition according to one of the preceding claims, characterized in that the polymer in dispersion represents (as solids) from 2% to 60% of the 10 total weight of the composition, and preferably from 4 to 2.5.

23. Composition according to one of the preceding claims, which is in the form of a stick or tube, in the form of a soft paste, in the form of a 15 dish, an oily gel, an oily liquid, a vesicular dispersion containing ionic and/or nonionic lipids, or a water-in-oil, oil-in-water or multiple emulsion.

24. Composition according to one of the preceding claims, which is in anhydrous form.

20 25. Composition according to one of the preceding claims, which is in the form of a care and/or make-up product for the skin and/or for the lips.

26. Composition according to one of the preceding claims, which is in the form of a foundation, 25 a face powder, an eyeshadow, a lipstick, a lipcare balm or base, a concealer product, an eyeliner or a mascara.

27. Composition according to one of Claims 5 to 26, characterized in that the dispersant is adsorbed onto the solid particles of the colloidal dispersion.

28. Cosmetic care process or make-up process 5 for the lips or the skin, which consists in applying a cosmetic composition as defined in the preceding claims to the lips or the skin, respectively.

29. Process for limiting the migration of a make-up composition or care composition for the skin or 10 the lips and/or to increase the staying power over time of this composition and/or its stability, containing a liquid fatty phase and at least one ingredient chosen from dyestuffs in the form of coloured particles that are solid at ambient temperature, which consists in 15 introducing into the liquid fatty phase polymer particles that are dispersible in the liquid fatty phase and surface-stabilized with a stabilizer, and in introducing into the said liquid fatty phase the said coloured particles in the form of a colloidal 20 dispersion.

30. Cosmetic use, in a composition for application to the skin, the lips and integuments, of particles of at least one polymer that are dispersed in a liquid fatty phase and surface-stabilized with a 25 stabilizer, and of a colloidal dispersion of particles that are solid at ambient temperature, and especially coloured, to limit the migration of the composition

and/or to increase its staying power over time and/or to obtain a uniform make-up effect.

31. Cosmetic use, in a composition for application to the skin, the lips and integuments, of 5 particles of at least one polymer that are dispersed in a liquid fatty phase and surface-stabilized with a stabilizer, and of a colloidal dispersion of particles that are solid at ambient temperature, and especially coloured, to conserve the gloss of the said 10 composition.

32. Process for manufacturing a stable composition for application to keratin materials, which consists in introducing into a physiologically acceptable liquid medium a) a dispersion of polymer 15 particles that are surface-stabilized in a liquid fatty phase with a stabilizer, b) a colloidal dispersion of particles that are solid at ambient temperature, chosen from pigments, nacres and fillers and mixtures thereof, and in mixing the said medium to which is added the 20 said dispersions a) and b).

33. Process according to Claim 32, characterized in that the colloidal dispersion is prepared beforehand, before being introduced into the composition.

25 34. Use of a colloidal dispersion of particles that are solid at ambient temperature, chosen from pigments, nacres and fillers, and mixtures

thereof, in a composition for application to keratin materials, containing a dispersion of polymer particles that are surface-stabilized in a liquid fatty phase with a stabilizer, to stabilize the said composition 5 and/or to give it a uniform appearance.

35. Cosmetic process for limiting the migration of a make-up composition or care composition for the skin or the lips and/or to increase the staying power over time of this composition and/or its 10 stability, containing a liquid fatty phase and at least one ingredient chosen from dyestuffs in the form of coloured particles that are solid at ambient temperature, which consists in introducing into the liquid fatty phase polymer particles that are 15 dispersible in the liquid fatty phase and able to be surface-stabilized with a stabilizer, and in introducing into the said liquid fatty phase the said coloured particles in the form of a colloidal dispersion.